

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNIVERSAL PROTECTION SERVICE, LLC
D/B/A ALLIED UNIVERSAL SECURITY
SERVICES

Plaintiffs,

v.

SALIH KOC

Defendants.

Case No.: 1:23-cv-10617

~~PROPOSED~~ **ORDER GRANTING
MOTION FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE WHY PRELIMINARY
INJUNCTION SHOULD NOT ISSUE**

Plaintiffs Universal Services of America, LP and Universal Protection Service, LLC d/b/a Allied Universal Security Services (“Plaintiff” or “Allied Universal”), having moved this Court for entry of a temporary restraining order (“Order”) against Defendant Salih Koc (“Defendant” or “Koc”) consistent with Fed. R. Civ. P. 65; and

The Court having read and considered said Motion, the legal arguments and sworn statements in support thereof, and all other pleadings, papers, and materials in the record; and

The Court having heard, after notice to Defendant, the arguments of the parties and/or their counsel; and

The Court having determined that: (1) Allied Universal has pled cognizable claims against Defendant; (2) Allied Universal has a likelihood of success on the merits regarding these claims; (3) Allied Universal is likely to suffer imminent and irreparable injury or loss without the entry of this Order; (4) the balance of the equities favors Allied Universal and granting the requested relief is not otherwise contrary to the public interest; and (5) greater injury will be inflicted upon Allied Universal by the denial of the Motion than would be inflicted upon Defendant or the public by awarding such relief.

AND NOW the Court GRANTS Plaintiffs’ Motion and ORDERS, ADJUDGES, and DECREES that Defendant Koc, and any person or entity acting in concert with him, be temporarily restrained from:

- a. Performing the same or substantially similar work that he performed for Allied Universal for an entity engaged in the marketing, selling, or providing of contract security services within the city of New York;
- b. Selling or providing any services or products to any Restricted Customers, that are competitive with the contract security services provided by Plaintiff, including (1) any customer of Allied Universal with whom Koc had contact or communications at any time during Koc's last twelve (12) months as a Company employee; (2) any customer of Allied Universal for whom Koc supervised Allied Universal's account or dealings at any time during Koc's last twelve (12) months as an Allied Universal employee; and/or (3) any customer of Allied Universal about whom Koc obtained any Confidential Information (as defined above) during Koc's last twelve (12) months as a Company employee.
- c. Using, sharing, disclosing, disseminating, or possessing any confidential information belonging to Allied Universal that Koc obtained while he was working for Allied Universal.
- d. Directly or indirectly hiring or soliciting any Allied Universal employee, for a period of twenty-four (24) months, including (a) hiring as an employee or as an independent contractor any person then-employed by Allied Universal ; (b) recruiting, soliciting or encouraging any employee to leave his or her employment or engagement with Allied Universal; and/or (c) hiring or engaging any person employed by Allied Universal at any point during Koc's last six (6) months Allied Universal.
- e. Using, sharing, disclosing, disseminating or further misappropriating confidential information furnished to, obtained by, or created by Koc during his employment with Allied Universal, including but not limited to the documents below:
 - i. The Documents entitled: AUS Certificate.pdf (4.22 MB), Workers Compensation 101 - C240s and C11s form completion (002).pdf (1.92

MB), DailyPay Manager Guide _5_.docx (128.04 KB), Employee FAQs Daily Pay.pdf (216.62 KB), 20220524 - Unbilled hours engagement vF.pptx (719.71 KB), New Hires Not Working (12).xlsx (7.55 KB), Upcoming Unarmed SP License Expirations (Active Employees) (19).xlsx (28.44 KB), Interviews Scheduled - SP Detail (V2) (1).xlsx (32.69 KB), List of Academy Courses Missing to be 100% (18).xlsx (38.62 KB), Union EEs _ Working Non-Union Jobs (3).xlsx (88.59 KB), Union EEs _ No Hours Worked (10).xlsx (17.05 KB), UNION ROSTER CHANGE TIMELINES 5.30.23.pptx (468.3 KB), UNion Blank Dues Card (2).pdf (1.29 MB), SSOBA blank card.pdf (1.1 MB), attached to an email sent on October 16th, 2023, at 11:45 AM, UTC.

- ii. Invoice information including past due balances and other information contained in an email sent on October 16, 2023 at 12:46:32 UTC, concerning Allied Universal luxury retail client, Khaite.
- iii. Invoice information including past due balances and other information contained in an email sent on October 16, 2023 at 12:46:55 PM, UTC, concerning Allied Universal client Jamestown Commercial Management.
- iv. Document entitled: AU Time-Off Request Form.pdf (103.96 KB), AUS Incident Report.pdf (25.32 KB), AUS Time Sheet 529.pdf (121.21 KB), Coaching-Counseling-Disciplinary Notice - Write-In (rev 8-2017).pdf (109.79 KB), Company Letter.pdf (44.12 KB), Contact Tracing Application Acknowledgment - Louis Vuitton.pdf (60.63 KB), Copy of Blank TIMESHEET.xlsx (17.83 KB), Copy of Blank Voucher silvertain properties Jamestown.xlsx (119.35 KB), Copy of Copy of Stop Payment Affidavit Form.xls (66 KB), Copy of New and update vendor form.xlsx (36.28 KB), Disciplinary Form.xlsx (51.81 KB), Disciplinary Matrix Guideline.pdf (53.41 KB), Employee Handbook - AU - SP.pdf (763.67

KB), Luxury Retail Training.pdf (83.92 KB), Luxury Retail Training2.pdf (153.22 KB), LV ONSTAGE 2020.pdf (725.92 KB), NYC Sexual Harassment Info Sheet.pdf (220.73 KB), NYC Health Dep. Form for State PSL Appendix B.pdf (210.42 KB), attached to an email sent on October 16, 2023 at 12:57:15 PM, UTC.

- v. Documents entitled: Vapon Assignment.pdf (14.46 KB), (AUS- Incentive Units Award Letter (Form of Award Letter) (2.7.2022)) (RCA-True).DOCX.pdf (476.62 KB), 20201120090405283.pdf (84.65 KB), 20220525081919832.pdf (167.42 KB), 20220525081940559.pdf (115.43 KB), Affirmation.pdf (19.82 KB), Application.pdf (157.42 KB), AUS T.E-P Card Request and Agreement Policy Rev. 3 - 7.15.19 EF.pdf (336.12 KB), Child.pdf (44.57 KB), Co-Habi YK.pdf (20.33 KB), Confidentiality Request Form.pdf (204.61 KB), Confidentiality.pdf (58.43 KB), DMV.pdf (570.65 KB), Elysewalker AMENDMENT TO SERVICE AGREEMENT Revised 2-14-23 (1) final.pdf (436.3 KB), Exhibit B.pdf (68.6 KB), Exhibit D.pdf (45.71 KB), Fingerprints.pdf (38.02 KB), goruntule.pdf (209.5 KB), Hampton Inn.Home2 Suites Times Square.docx (8.37 MB), Hampton Inn.Home2 Suites Times Square.pdf (2.67 MB), ID.pdf (62.81 KB), IMG_4186.heic (56.85 KB), Interview.pdf (254.29 KB), Koc Salih - RT Offer Letter (1).pdf (937.19 KB), KUYEYT TURK 11.docx (12.06 KB), License Division.pdf (25.47 KB), Nassau County Police Department.docx (11.99 KB), NJ SORO.JPG (100.95 KB), Passport.pdf (226.37 KB), Passport1.pdf (229.89 KB), Passport12.pdf (229.89 KB), Pay Stubb SK.pdf (50.51 KB), Paycheck.pdf (209.74 KB), Paycheck1.pdf (209.75 KB), Penal Law.pdf (17.58 KB), Referans.pdf (25.38 KB), Sabiha.jpg (389.11 KB), sabiha1.jpg (447.62 KB), Safe Guard.pdf (45.43 KB), Salih K.docx (14.6 KB), Salih K1.xlsx (13.48 KB), salih

recomendation letter_.docx (12.82 KB), Salih_Koc_-_Allied_Universal_Incentive_Units_.pdf (702.36 KB), salih1.jpg (3.4 MB), salihA.jpg (770.71 KB), SalihP (2).jpg (88.58 KB), SalihP (3).jpg (70.76 KB), SalihP.jpg (93.06 KB), Silverstein.pdf (34.41 KB), SK Picture.pdf (26.63 KB), SK.jpg (732.75 KB), SK1.jpg (2 MB), SK-Licence.pdf (50.45 KB), SS.pdf (60.16 KB), Summary.pdf (280.1 KB), tapu.jpg (159.88 KB), attached to an email sent on October 16, 2023 at 1:00:42 PM, UTC.

- vi. Documents entitled: LVMH Action Plan - 09-08-2023.xls (126.5 KB), LVMH Security professional guidelines.docx (26.69 KB), FIRE COMMAND STATION OPERATIONS.docx (15.48 KB), FSD.doc Fire duties.doc (29 KB), Security Desk check list.docx (13.75 KB), points log menu.docx (15.46 KB), attached to an email sent on October 16, 2023 1:08:01 PM, UTC.
- vii. Documents entitled: Worksheet in C Users salih.koc AppData Local Microsoft Windows INetCache Content.Outlook MFVW0QD3 Meeting Agenda - 04.21.2020.xlsx (117.61 KB), 05.14.20 - Luis vuitton New Vendor Request Form 2020.xlsx (723.57 KB), 12.15.21 - MARC0001 New and update vendor form.xlsx (35.24 KB), 2020 W9 SOS INTERMEDIATE HOLDING, LLC_ AN ALLIED UNIVERSAL COMPANY_Phildelphia.pdf (78.74 KB), Adobe Connect.lnk (1018 Bytes), AUS Temporary Security Professional Service Agreement (10-12-17).docx (80.3 KB), BM CRUZ NY MASTER 8-13-20.xlsx (32.78 KB), Copy of 202102_NY SSOBA SOS LV.xlsx (131.02 KB), Copy of BM CRUZ NY 10-2-NEW.xlsx (16.86 KB), Copy of Copy of Blank Monthly Badge Counts 2.xlsx (59.52 KB), Copy of Copy of Copy of Former SOS roster NEW.xlsx (241.39 KB), Copy of Former SOS roster.xlsx (239.61

KB), Copy of SK client.xlsx (50.62 KB), Copy of SOS Client Data Sheet - 02.15.2020 v1.xlsx (101.17 KB), Copy of SOS Wave 1 Employees-Ralph Cruz1.xlsx (104.01 KB), Copy of SOS_Employees.xlsx (1.49 MB), Copy of SSOBA - SOS transition roster_job validation.xlsx (166.4 KB), Copy of SSOBA SOS audit.xlsx (61.58 KB), Copy of Wage Collection Louis Vuitton RFP 4.28.20.xlsx (38.88 KB), Meeting Recap 12-15-16.pptx (534.01 KB), Meeting Recap Guide.doc (91.5 KB), attached to an email sent on October 16, 2023 1:07:33 PM, UTC.

- viii. Documents entitled: White Glove Customer Service (4).pptx (27.17 MB), Core Training Program Descriptions 2-17-22.pdf (181.54 KB), Luxury Retail Training.pdf (83.92 KB), Be Calm and De.pdf (75.31 KB), Retail Post Orders.pdf (87.91 KB), attached to an email sent on October 16, 2023 at 1:09:53 PM, UTC.
- ix. Documents entitled: Allied Universal Security - Call Tree 1177 - 529 - 116.docx (80.92 KB), 116 Action Plan.xls (99 KB), sent on October 16, 2023 at 1:11:33 PM, UTC.
- x. Billing rates for security guards and other confidential client contact information for Namdar Realty Group contained in an email sent on October 20, 2023 at 1:17:01 PM, UTC.
- xi. Confidential client contact information for client Jamestown LP contained in an email sent on November 2, 2023 at 6:15:48 PM, UTC.
- xii. Document entitled: SK 1244f6ae-b8df-47ca-b64a-4645ad2fb3cb.pdf (135.25 KB), SK d3bc8212-5b46-405e-a077-c770026d4a4f.pdf (134.79 KB) attached to an email sent on November 4, 2023 at 3:40:28 PM, UTC.
- xiii. Confidential client contact information for luxury retail clients: Gucci, Givenchy, Celine, Valentino, Berlutti, and retailer Nintendo, contained in an email sent on November 8, 2023 at 7:48:59 PM.

- xiv. Confidential client contact information for luxury retail client Lululemon, sent on November 8, 2023 at 8:14:55 PM, UTC.
- xv. Documents entitled: Marmara - 32nd St. with FLSD - AUS Pricing Sheet 2024-1.pdf (104.36 KB), Marmara - AUS - Proposal.docx (5.3 MB), attached to an email sent on November 9, 2023 at 3:01:45 PM, UTC.
- xvi. Confidential client contact information for luxury retail clients Brunello Cucinelli, Khaite and Valentino, contained in an email sent on November 11, 2023 at 11:44:33 PM, UTC.
- xvii. Confidential client contact information for retail client Abercrombie & Fitch, contained in an email sent on November 11, 2023 at 11:50:02 PM, UTC.
- xviii. Documents entitled: NJ Branch 4-4-18.xlsx (32.95 KB), New York DISPATCH DISTRIBUTION.xlsx (45.6 KB) containing a list of employees located in the Northeastern United States, working for SOS Security, a security services company acquired by Allied Universal, contained in an email sent on November 12, 2023 at 12:08:31 AM, UTC.
- xix. A Document entitled NE Employee Information.xlsx (391.38 KB) and other confidential information containing a information about former SOS Security personnel, contained in an email sent on November 12, 2023 at 12:09:29 AM, UTC.
- xx. Documents entitled: Mamara AUS Agreement.pdf (649.23 KB), Marmara - 32nd St. with FLSD - AUS Pricing Sheet 2024-1.xlsx (13.29 KB), contained in an email sent on November 14, 2023 at 1:49:12 PM, UTC.
- xxi. Documents entitled: dos-0613-f-pi-bea-wgp-support-staff-employees-statement_02.2023.pdf (993.86 KB), On-The-Spot_Award.pdf (1.57 MB), The FNA Group.pdf (79.74 KB), Valentino 11-09.pdf (315.65 KB), Marmara - AUS - Proposal.docx (5.3 MB), Marmara - 32nd St. with

FLSD - AUS Pricing Sheet 2024-1.pdf (104.36 KB), contained in an email sent on November 16, 2023 at 2:23:55 PM, UTC.

It is further ORDERED, ADJUDGED, and DECREED that;

- a. Defendant Koc be required to turn over for inspection and review all personal and business computers, laptops, external hard drives, flash drives, external storage devices, and phones for forensic review by a computer forensic expert of Plaintiffs' choosing, no later than three (3) calendar days from the date of this Order, to ensure that the Documents are not further used or disseminated.
- b. Defendant Koc be required to contact counsel for Plaintiff, no later than three (3) calendar days from the date of this Order, to arrange a protocol for inspection of his personal email account(s) to ensure that the Documents are not further used or disseminated.

It is further ORDERED, ADJUDGED, and DECREED that this Order shall become effective immediately and that no bond or other security shall be required.

It is further ORDERED, ADJUDGED, and DECREED that Defendant shall appear in this Court on the 5th day of January ²⁰²⁴~~2023~~ at 1:00 P.M.~~1:00 P.M.~~ where the Court will determine whether this Order should be converted to a preliminary injunction and continued in force pending final determination of the issues raised in this action.

DATED: December 15 2023



Dale E. Ho
United States District Judge
New York, New York

On Defendant's consent, this Order shall remain in effect through January 5, 2024.

The Clerk of Court is respectfully requested to terminate ECF No. 5.